

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
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IN THE MATTER OF THE COMPLAINT )  
OF NATIONAL STARCH, ALLIANCE, AND )  
PINNACLE AGAINST THE BOARD OF )  
DIRECTORS FOR UTILITIES OF THE )  
DEPARTMENT OF PUBLIC UTILITIES OF )  
CITY OF INDIANAPOLIS, AS SUCCESSOR )  
TRUSTEE OF A PUBLIC CHARITABLE )  
TRUST D/B/A CITIZENS GAS & COKE )  
UTILITY, FOR ENFORCEMENT OF )  
SETTLEMENT AGREEMENT AND FOR )  
DETERMINATION OF JUST AND )  
REASONABLE RATES IN CONNECTION )  
WITH BILLING DISPUTE )

**FILED**

AUG 24 2004

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42578

RESPONDENT: )  
CITIZENS GAS & COKE UTILITY )

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 19, 2004, Respondent Citizens Gas filed a Motion to Compel Discovery Responses from Complainants, and a Brief in Support of Motion to Compel. Complainants, Transportation Group filed a Response to the Motion to Compel on August 2, 2004. Respondent Citizens Gas filed a Reply to Complainant's Response to the Motion to Compel on August 9, 2004. The Commission heard oral argument on the Motion to Compel on August 19, 2004.

The presiding officers, having reviewed said filings and heard oral argument and being duly advised in the premises, hereby find that if Complainant's counsel intends to offer testimony referencing certain materials to support its position, such materials are appropriately the subject of a data request pursuant to Trial Rule 26(B) and the Motion to Compel should be granted.

**IT IS SO ORDERED.**

*Judith G. Ripley*  
Judith G. Ripley, Commissioner

*Abby R. Gray*  
Abby R. Gray, Administrative Law Judge

Date *August 24, 2004*

*Nancy E. Manley*  
Nancy E. Manley, Secretary to the Commission